

Special Town Meeting Report - September 2nd, 2015

Report of the
Special Town Meeting
September 2nd, 2015

In accordance with the Warrant, the Special Town Meeting was held in the Stony Brook Elementary School Cafetorium on Wednesday, September 2nd, 2015.

The meeting was called to order at 7:00pm by the Moderator, Stephen L. Doyle.

The tellers were David Lahive, David Quinn, David Whitney and Edward Swiniarski. The checkers were June Gallant, Dorothy Leone, Mary Myers, Maureen Steinmann, Joan Scheffer, Cynthia Matheson and Jayanne Sci, Assistant Town Clerk. Thaddeus Nabywaniec, and Francis Smith, members of the Board of Registrars, were also present.

A quorum was present with 789 of 7625 voters. 11%

MOTION: I move that the Town vote to indefinitely postpone consideration of Article Nos. 12, 13, 14, 15, 16 & 17.

ACTION: Adopted Unanimously to indefinitely postpone

Articles 8 & 11 were taken up under a consent calendar:

MOTION: I move that the Town vote to approve Article Nos. 8 & 11 as printed in the warrant.

ACTION: Adopted by a declared 2/3 vote

<i>UNPAID BILLS</i>

ARTICLE NO. 1: To see if the Town will vote to transfer from available funds a sum of money to pay bills incurred but unpaid during a previous fiscal year, as follows:

a	Custom Drug Testing Inc.	\$135.00
b.	Cape Cod Engraving	\$ 32.00
c.	Nauset Disposal	\$278.00
	Grand-total	\$445.00

or to take any other action relative thereto.

(Nine-tenths (9/10ths) Vote (Board of Selectmen
Required)

MOTION: I move that the Town vote to approve Article No. 1 as printed in the warrant and to transfer the sums of \$278.00 from the Golf Receipts Reserved for Appropriation account and \$167.00 from the Free Cash for these purposes.

ACTION: Adopted Unanimously

CAPITAL AND SPECIAL PROJECTS EXPENDITURES

ARTICLE NO. 2: To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow a sum of money for the purpose of funding the following capital acquisitions and special project expenditures, to be undertaken during Fiscal Year 2016, including the payment of all costs incidental and related to the carrying out of these projects and their financing, as well as, any professional, design, and engineering service costs; to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow a sum of money pursuant to Chapter 44 of the General Laws and/or any other enabling authority and to issue bonds or notes of the Town therefore, provided that the amount of the notes or bonds issued hereunder shall be reduced by the amount of the sales proceeds, grant funds, and other money received before the sale of such notes or bonds; to transfer from available funds an additional sum of money for the purpose of paying for the preparation, issuance and marketing of bonds and notes issued hereunder and for paying interest on temporary notes issued in anticipation thereof; to authorize the Town Administrator to sell, trade, lease, exchange or otherwise dispose of, in the best interests of the town, old equipment or vehicles deemed available, the proceeds from any such disposition to be applied toward the cost of acquiring the following equipment or services; and to authorize the Town Administrator to solicit bids and/or proposals, enter into a contract or contracts, and expend the funds for the following purposes:

1.	<u>Board of Selectmen:</u>	<u>Request</u>	<u>Totals</u>
a.	Professional Facilitator for Coastal & Beach Visioning Meetings	\$10,000.00	
b.	Government Study Phase 2 – Consulting Services	\$7,000.00	
c.	Map Updates	\$5,000.00	
d.	Hazardous Waste Collection Program	\$11,000.00	
e.	Town Buildings & Facilities Repair & Maintenance Projects	\$29,000.00	
f.	Water Quality Compliance & Enforcement	\$10,000.00	
g.	Technology Projects	\$30,000.00	
h.	Local Comprehensive Planning Expense	\$25,000.00	
i.	All Citizens Access Project	<u>\$10,000.00</u>	
	Sub-total		\$137,000.00
2.	<u>Fire Department:</u>		
a.	Dispatch Services Expense	\$27,000.00	
b.	Rescue Service Expense	\$10,000.00	
c.	Ambulance Lease Payment	\$25,000.00	
d.	Radios/Communications Equipment	\$30,000.00	
e.	Personal Protective Equipment (PPE)	\$10,000.00	
f.	Apparatus Lease Payments	\$108,000.00	
g.	Ambulance Replacement Lease	\$53,000.00	
h.	Hazardous Materials Equipment/Supplies	\$4,000.00	
i.	Emergency Management Planning Fund	<u>\$10,000.00</u>	
	Sub-total		\$277,000.00
3.	<u>Department of Public Works:</u>		
a.	Road/Drainage Repairs	\$150,000.00	
b.	Roadside Mower Equipment Replacement	\$125,000.00	
c.	Pick-up Truck Replacement	<u>\$40,000.00</u>	
	Sub-total		\$315,000.00

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4.	<u>Police Department:</u>		
a.	Fire Arms Replacement	\$12,500.00	
b.	In-Car Cruiser Video Cameras	<u>\$50,000.00</u>	
	Sub-total		\$62,500.00
5.	<u>Golf Department:</u>		
a.	Aerifier Equipment Lease Payment	\$18,252.00	
b.	Greens Aerifier Replacement	\$27,000.00	
c.	“Workman” Utility Vehicle Replacements (3)	<u>\$77,000.00</u>	
	Sub-total		\$122,252.00
6.	<u>Elementary School Department:</u>		
a.	HVAC Repairs	\$15,000.00	
b.	Technology Upgrades	\$30,000.00	
c.	Interior/Exterior Painting	\$15,000.00	
d.	Carpet & Tile Replacement	\$20,000.00	
e.	Refurbishment of Trolley Wall	<u>\$12,000.00</u>	
	Sub-total		\$92,000.00
7.	<u>Ladies Library:</u>		
a.	Technology Project	\$5,000.00	
b.	Library Parking Lot Improvements	\$302,500.00	
c.	Library AC Chiller Replacement	<u>\$61, 250.00</u>	
	Sub-total		\$368,750.00
	Grand Total		\$1,374,502.00

or to take any other action relative thereto.

(Majority Vote Required or Two-thirds
Vote Required if borrowing is
requested)

(Board of Selectmen)

MOTION: I move that the Town approves Article No. 2 as printed warrant; however that the following item be deleted:

• **Board of Selectmen, item a. Professional Facilitator for Coastal & Beach Visioning Meetings in the amount of \$10,000.00**
and to appropriate the amended total sum of \$1,364,502.00 to pay costs of the various capital acquisitions and special project expenditures set forth therein, to be undertaken during Fiscal Year 2016, including the payment of all costs incidental and related thereto; authorizes the Town Administrator to sell, trade, lease, exchange or otherwise dispose of, in the best interests of the town, old equipment or vehicles deemed available; that the Town appropriates Seventy-Seven Thousand Dollars (\$77,000) to pay costs of replacing three “Workman” utility vehicles, including the payment of all costs incidental and related thereto; that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, §7(9) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; and that the Town appropriates Three Hundred Two Thousand Dollars (\$302,000) to pay costs of Library parking lot improvements, including, but not limited to, site preparation,

demolition, drainage improvements, grading, paving, installation of sidewalks, irrigation and all other costs incidental and related thereto; that to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, §7(5) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, provided that the amount of notes or bonds issued hereunder shall be reduced by the amount of any gifts, grants or any other money received by the Town (including, without limitation the proceeds of the disposition of old equipment or vehicles referred to above) on account of such capital expenditures before the sale of such notes or bonds and (ii) the Town is authorized to make the following transfers:

- \$671,750.00 from Free Cash,
- \$11,000.00 from the Water Surplus account,
- \$267,000.00 from the Ambulance Receipts Reserved for Appropriation account, \$45,252.00 from the Golf Receipts Reserved for Appropriation account.

ACTION: Adopted Unanimously

<p style="text-align: center;"><i>DEBT BUDGET</i> <i>PRINCIPAL & INTEREST FUNDING</i></p>

ARTICLE NO. 3: To see if the Town will vote to appropriate a sum of money for the purpose of funding principal and interest expenses for the following capital & equipment projects:

<u>Item:</u>	<u>Category:</u>																		
	<table><tr><th>Item Description</th><th>Funding Source</th></tr><tr><td>1. Crosby Mansion Septic System Project</td><td>Transfer the sum of \$32,679.00 from the Crosby Mansion Revolving Fund</td></tr><tr><td>2. Golf Department Course Improvement & Repair Project</td><td>Transfer the sum of \$40,431.00 from the Golf Receipts Reserved for Appropriation account</td></tr><tr><td>3. DPW Open Top Containers, Closed Top Containers and Compacting Equipment</td><td>Transfer the sum of \$25,869.00 from Free Cash</td></tr><tr><td>4. Stony Brook School Window Repair Project Phase II</td><td>Transfer the sum of \$43,843.00 from Free Cash</td></tr><tr><td>5. Eddy Elementary School Renovation Project</td><td>Transfer the sum of \$105,297.00 from Free Cash</td></tr><tr><td>6. Well No. 3 Access Road Improvement Project</td><td>Transfer the sum of \$302,230.00 from Water Revenues account</td></tr><tr><td>7. Route 6A Water Infrastructure Project</td><td>Transfer the sum of \$3,702.00 from the Water Revenue account</td></tr><tr><td>Grand Total</td><td>\$554,051.00</td></tr></table>	Item Description	Funding Source	1. Crosby Mansion Septic System Project	Transfer the sum of \$32,679.00 from the Crosby Mansion Revolving Fund	2. Golf Department Course Improvement & Repair Project	Transfer the sum of \$40,431.00 from the Golf Receipts Reserved for Appropriation account	3. DPW Open Top Containers, Closed Top Containers and Compacting Equipment	Transfer the sum of \$25,869.00 from Free Cash	4. Stony Brook School Window Repair Project Phase II	Transfer the sum of \$43,843.00 from Free Cash	5. Eddy Elementary School Renovation Project	Transfer the sum of \$105,297.00 from Free Cash	6. Well No. 3 Access Road Improvement Project	Transfer the sum of \$302,230.00 from Water Revenues account	7. Route 6A Water Infrastructure Project	Transfer the sum of \$3,702.00 from the Water Revenue account	Grand Total	\$554,051.00
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or to take any other action relative thereto.

(Majority Vote Required) (Board of Selectmen)

MOTION: I move that the Town vote to approve Article No. 3 as printed in the warrant.

ACTION: Adopted Unanimously

SPECIAL REVENUE FUND
Cable Franchise Fee Account

ARTICLE NO. 4: To see if the Town will vote to transfer the sum of **SEVENTY THOUSAND EIGHT HUNDRED FORTY AND 00/100 DOLLARS (\$70,840.00)** from the Cable Franchise Fee account for the 2016 fiscal year for local cable television related purposes, including, but not limited to the general public purpose of supporting and promoting public access to the Brewster cable television system; training in the use of local access equipment and facilities; access to community, municipal and educational meeting coverage; use and development of an institutional network and/or municipal information facilities; contracting with local cable programming services providers and/or any other appropriate cable related purposes, or to take any other action relative thereto.

(Majority Vote Required) (Board of Selectmen)

MOTION: I move that the Town vote to approve Article No. 4 as printed in the warrant.

ACTION: Adopted Unanimously

FUEL ASSISTANCE FUNDING

ARTICLE NO. 5: To see if the Town will vote to transfer from Free Cash the sum of **TWELVE THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$12,500.00)** for the Lower Cape Outreach Council, Inc. and to authorize the Board of Selectmen to enter into contracts with this organization in order to provide fuel assistance services for residents of Brewster, or to take any other action relative thereto.

(Majority Vote Required) (Board of Selectmen)

MOTION: I move that the Town vote to approve Article No. 5 as printed in the warrant.

ACTION: Adopted Unanimously

COMMUNITY PRESERVATION ACT
Purchase of Conservation Restriction

ARTICLE NO. 6: To see if the Town will vote to authorize the Board of Selectmen to acquire a perpetual conservation restriction under General Laws, Chapter 184, Sections 31 through 33, on two parcels of land designated on Brewster Assessors' Map 93 as Parcels 53 and 54, located at Long Pond Road, in (South) Brewster, Barnstable County, Massachusetts, consisting of 2.23 acres and 2.32 acres, respectively, and more accurately shown as Lots 4 and 3, respectively, on a plan of land entitled, "Plan of Land in Brewster, Mass., Prepared for Edward Campbell, Record Owner: M. Sophie Campbell, Moran Engineering Co., 941 Main Street, So. Harwich Mass. 02661, Scale: 1" = 60', Date: January 14, 1997," and recorded with the Barnstable Registry of Deeds in Plan Book 531 Page 2, a copy of which is on file with the Brewster Town Clerk; to acquire said conservation restriction for conservation and passive recreation purposes for the general public, consistent with the provisions of Mass. General Laws, Ch. 40, §8C, 310 C.M.R. 22.00, and Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts; to transfer the sum of **One Hundred Thousand and 00/100 (\$100,000.00) Dollars** from the Fund Balance Reserved for Open Space to pay costs of this acquisition, and all other costs incidental and related thereto; to authorize the Conservation Commission

to assume the monitoring and enforcement authority of the conservation restriction on the properties; and to authorize the Board of Selectmen and Conservation Commission to enter into all agreements and execute any and all instruments as may be necessary on behalf of the municipality to effect this purchase; or to take any other action relative thereto.

(Two-thirds Vote Required) (Community Preservation Committee)

MOTION: I move that the Town vote to approve Article No. 6 as printed in the warrant.

ACTION: Adopted by a declare 2/3 vote

<p style="text-align: center;"><i>MUTUAL EASEMENTS</i> <i>Brewster Ladies’ Library & Brewster Baptist Church</i></p>
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ARTICLE NO. 7: To see if the Town will vote to authorize the Board of Selectmen to convey and acquire cross-easement rights pursuant to an Easement Agreement by and between the Town of Brewster and the Brewster Baptist Church, Inc., on and over two parcels of land known respectively as the Brewster Ladies Library and Brewster Baptist Church properties, and designated on Brewster Assessors’ Map 57 as Parcels 38 and 39, and located at 1822 and 1848 Main Street, Brewster, Barnstable County, Massachusetts, consisting of .93 acres and 11.65 acres, respectively; the Easement Areas to be conveyed as part of the Easement Agreement are more accurately shown on a plan of land entitled, “Easement Sketch Plan Prepared for Town of Brewster and Brewster Baptist Church, Scale 1”=60’, July 28, 2015, J.M. O’Reilly & Associates, Inc., Professional Engineering & Surveying Services, 1573 Main Street, P.O. Box 1773, Brewster, MA 02631,” a copy of which is on file with the Brewster Town Clerk; to convey and acquire said cross-easements for the purpose of constructing and maintaining certain improvements to the parking lots and driveways on both properties, and for access, ingress and egress within the Easement Areas, all as shown on the Easement Sketch Plan, so as to provide for the passage of motor vehicles and pedestrians to and from the abutting parking areas, parking in the parking areas, and rights to install and maintain utilities, signage and drainage, if necessary; and to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments as may be necessary on behalf of the municipality to effect this Cross-Easement Agreement; or to take any other action relative thereto.

(Two-thirds Vote Required) (Board of Selectmen)

MOTION: I move that the Town vote to approve Article No. 7 as printed in the warrant.

ACTION: Adopted by a declared 2/3 vote

<p style="text-align: center;"><i>GRANT OF UTILITY EASEMENT</i> <i>Electricity to Well No. 3</i></p>
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ARTICLE NO. 8: To see if the Town will vote to authorize the Board of Selectmen to grant to Eversource, for no consideration, an easement to install and maintain an underground electric transmission network over, on, and under Town property, identified on the Town’s Assessors’ Maps #119 and #120 as parcels # 4 and #2, respectively, and further identified by deed recorded at the Barnstable County Registry of Deeds in Book 1355, on Page 1046, in order to provide electrical service to the Town’s Public Drinking Water Well #3, located off of Freemans Way, or to take any other action relative thereto.

(Two-thirds Vote Required)

(Board of Selectmen)

MOTION: Moved under the consent calendar.

ACTION: Adopted under the consent calendar, by a declared 2/3 vote

<p><i>CITIZENS’ PETITION/ Enhancing Beach Access in Brewster Comprehensive Community-Based Planning</i></p>
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ARTICLE NO. 9:
To see if the Town will vote to direct the Board of Selectmen to implement the following measures:
Whereas

- Brewster is a premier Bay and beach destination with a strong sense of neighborhood community, based on its relaxed, rural, un-commercial character.
- Increasing demand from residents and visitors for beach parking seriously exceeds the capacity at Town landings on peak summer days.
- Parking spaces adjacent to beaches have been lost in recent years, and continue to be lost, due to climate forces outside the Town’s control.
- The intensity of beach traffic threatens public safety, rural character, and quality of life in many neighborhoods, while less accessible public locations offer large, underutilized areas of beachfront.
- The town's reactive and fragmented approach is not addressing aggregate needs, assessing the range of opportunities, and making the best use of scarce public funds to meet beach access and public safety priorities.
- Community-based planning, flexibility, and innovation are essential to meet rising demand for beach access and preserve the quality of beach neighborhoods, while addressing the uncertainties and threats relating to coastal erosion and climate change.

Therefore

An immediate moratorium shall be imposed on the execution of all Town projects that involve the removal, relocation, and/or creation of permitted parking spaces at Town landings or within 1 mile of existing landings or other publicly owned coastal properties. This moratorium shall apply to the Town’s proposed parking relocation at Breakwater Beach but not to other Town projects designed specifically to maintain and protect existing parking footprints at Town landings, or to solely resolve drainage, pollution, and/or safety priorities on beach roads and at car parks.

The moratorium shall be lifted only after a comprehensive *Brewster Beach Access Plan*—an overarching guide to Town projects as described above—has been developed, vetted, and approved. The *Plan* shall be designed to enhance Brewster’s reputation as a premier beach and living destination with a strong sense of community. Developed through an open and objective community-based process, the *Plan* shall establish the Town-wide framework of goals, priorities, and criteria required to evaluate future landing, beach access, and parking projects. The *Plan* shall address all types of beach access in all seasons, with the goal of safely meeting the needs and wants of beach-goers of all ages, inclinations, and physical capabilities, along with those of the neighborhoods involved.

Projects implemented under the *Plan* shall be designed to maintain and improve beach access across Town and to optimize access at individual Town landings based on site-specific conditions while increasing public

safety and maintaining the character of designated “Scenic Roads.” All such projects shall require Town Meeting approval prior to execution.

To foster public engagement, objective analysis, and consensus-building, the community-based process used to create the *Brewster Beach Access Plan* shall include these connected tasks:

1. **On-line surveys** and **targeted outreach** shall be conducted to gather opinions, needs, and preferences of all categories of Town landing users and public beach-goers, including year- round residents, seasonal residents, weekly renters, and day/weekend trippers; families, the elderly, and disabled individuals; recreational fishing and boating enthusiasts; dog and horse owners; the business community (particularly hospitality, shellfishing, and real estate); and abutters to, and neighborhoods hosting, Town beach access.
2. **A beach access study** shall be conducted to assess the types of access presently and potentially available at each Town landing and public beach, as well as the actual usage, both for peak season (July 1 - Labor Day) and over the entire year. This study shall address parking availability, linear feet of beach front, bike and pedestrian access, density and types of traffic on beach roads, parking permit sales, parking enforcement, visual and physical access from parking lots, boating and shellfishing accommodations and permit sales, public safety, coastal erosion, climate change, and other considerations.
3. **An options analysis study** shall be conducted to identify and assess the potential benefits and costs of projects to maintain and improve access and supplement parking near Town landings and State beaches during the peak season. This study shall address options including but not limited to satellite parking, beach shuttles of all kinds, and biking and walking trails.

Tasks 1-3 above shall be conducted in coordination with Brewster's Planning Board, Coastal Committee, Conservation Commission, All-Citizens Access Committee, and other entities as designated by the Brewster Board of Selectmen, jumpstarted using an initial and immediate funding allocation of \$20,000 by the Town. Funding shall be drawn first from any remaining funds under the May 2012 Town Meeting appropriation to study possible parking lots on State property between Crosby Lane and Linnell Landing Road, and then from other sources as designated by the Board of Selectmen in consultation with the Brewster Finance Committee.

These tasks—and the associated findings—shall be integrated within the public engagement and consensus-building activities specified in the Town’s June 2015 grant application, “Developing a Coastal Resiliency Strategy for Brewster,” if approved under the state’s FY16 Coastal Community Resilience Grant Program. Alternatively, the Town shall consider an additional appropriation at the Fall Special Town Meeting supporting the development of the *Brewster Beach Access Plan* within the context of climate resiliency and adaptation.

Under the direction of the Brewster Planning Board, the *Brewster Beach Access Plan* shall be prepared for public review and comment. Final review and approval of the *Plan* shall occur through public hearing processes before Brewster's Planning Board, Coastal Committee, Conservation Commission, and All-Citizens Access Committee, then Brewster's Board of Selectmen. After affirmative votes by each board, the *Plan* shall be adopted and the moratorium imposed herein shall be lifted.

Town Code shall be amended as needed to reflect the provisions of this article.

(Majority Vote Required)

(Citizen’s Petition)

MOTION: I move that the Town vote to approve Article no. 9 as printed in the warrant.

Amendment on Main Motion: I move to amend Article no. 9 as follows:

Strike the entire contents of the article, as drafted, and substitute the following language:

“To see if the Town will vote to advise the Board of Selectmen to implement a collaborative, community based Process in order to foster public engagement, conduct focused inquiry, and develop a Comprehensive Brewster Beach Access Plan that addresses all types of coastal access in all seasons, with the goals of building climate resiliency, protecting natural resources, and managing peak summer demand for parking while safely meeting the needs and wants of beach goers of all ages, inclinations, and physical capabilities, along with those of the neighborhoods involved.”

Action on Amended Motion: Adopted Yes – 633 No – 98

Motion to “Move the Previous Question”: Adopted

ACTION: Voted to Adopt as Amended

<p><i>TOWN LANDING AND BEACH IMPROVEMENT PROJECTS</i></p>
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ARTICLE NO. 10:

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow a sum of money for the purpose of funding a series of planning activities and improvements to the parking, drainage and access facilities, as described at the locations listed in the summary attached hereto; to be undertaken during Fiscal Year 2016, including the payment of all costs incidental and related to the carrying out of these projects and their financing, as well as, any professional, design, and engineering service costs; to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow a sum of money pursuant to Chapter 44 of the General Laws and/or any other enabling authority and to issue bonds or notes of the Town therefore, provided that the amount of the notes or bonds issued hereunder shall be reduced by the amount of the sales proceeds, grant funds, and other money received before the sale of such notes or bonds; to transfer from available funds an additional sum of money for the purpose of paying for the preparation, issuance and marketing of bonds and notes issued hereunder and for paying interest on temporary notes issued in anticipation thereof; to authorize the Town Administrator to sell, trade, lease, exchange or otherwise dispose of, in the best interests of the town, old equipment or vehicles deemed available, the proceeds from any such disposition to be applied toward the cost of acquiring the following equipment or services; and to authorize the Town Administrator to solicit bids and/or proposals, enter into a contract or contracts, and expend the funds for the following purposes:

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<u>Location:</u>		<u>Project Expense:</u>	
a	<u>Breakwater Beach:</u>	<u>Funding Sources:</u>	
	Project Estimate	\$268,350	
		State Grant	\$155,000
		Prior Town Meeting Auth. from Comm. Pres. Grant	\$59,675
		Prior Town Meeting Auth. for Construction Adm.	\$10,000
		Beach Sand Article	\$8,675
		Free Cash	<u>\$35,000</u>
		Sub-total	\$268,350
b	<u>Ellis Landing:</u>	<u>Funding Source:</u>	
	Partial Roadway Paving -	\$39,833	
	Drainage Improvements -	\$30,000	
	Parking Lot Paving -	\$10,046	
	Landing Ramp System -	\$101,500	
	Contingency	<u>\$10,900</u>	
		State Chapter 90, Town Road Bond & Road/Drainage Account	\$90,779
		Free Cash Transfer -	<u>\$101,500</u>
		Sub-Total	\$192,279
	Sub-Total	\$192,279	
c	<u>Linnell Landing:</u>	<u>Funding Source:</u>	
	Reclamation & Construction	\$25,800	
	Partial Roadway Paving -	\$48,000	
	Drainage Improvements -	\$58,000	
	Parking Lot Paving -	\$20,000	
	Contingency -	<u>\$15,570</u>	
		State Chapter 90, Town Road Bond & Road/Drainage Account	\$147,370
		Free Cash Transfer -	<u>\$20,000</u>
		Sub-Total	\$167,370
	Sub-Total	\$167,370	
d	<u>Fisherman's Landing (Sheep Pond)</u>	<u>Funding Source:</u>	
	Partial Roadway Paving	\$15,000	
	Drainage Improvements	\$67,000	
	Parking Lot Paving -	\$16,500	
	Guard Rail/Curbing, etc	\$30,000	
	Contingency	<u>\$12,850</u>	
		State Chapter 90, Town Road Bond & Road/Drainage Account	\$116,350
		Free Cash Transfer	<u>\$25,000</u>
		Sub-Total	\$141,350
	Sub-Total	\$141,350	
e	<u>Slough Pond Landing:</u>	<u>Funding Sources:</u>	
	Permitting -	\$2,000	
	Construction Materials -	<u>\$3,000</u>	
		Free Cash -	<u>\$5,000</u>
	Sub-total	\$5,000	
		Sub-Total	\$5,000
			Funding
f	<u>Long Pond Boat Ramp & Landing:</u>	<u>Funding Sources:</u>	
	Permitting & Design	\$20,000	
		Prior Town Meeting Auth.	\$10,000
		Free Cash -	<u>\$10,000</u>
		Sub-Total	\$20,000
g	<u>Paine's Creek Foot Bridge:</u>	<u>Funding Sources:</u>	
	Permitting -	\$2,000	
	Construction Materials -	<u>\$4,500</u>	
		Free Cash -	<u>\$6,500</u>
	Sub-total	\$6,500	
		Sub-Total	\$6,500
h	<u>DCR/Nickerson Park Beach Access Planning:</u>	<u>Funding Sources:</u>	
	Professional Services	\$10,000	
		Free Cash -	<u>\$10,000</u>
		Sub-Total	\$10,000
i	<u>DCR/Nickerson Park Beach Access Construction:</u>	<u>Funding Sources:</u>	
	Site Grading	\$5,000	
	Paving	\$7,500	
	Drainage	\$5,000	
	Construction Materials	\$5,000	
	Gates	\$5,000	
	Contingency	<u>\$2,500</u>	
		Free Cash -	<u>\$30,000</u>
		Sub-Total	\$30,000
	Sub-total	\$30,000	
	Total Transfer from Free Cash		Grand Total
			\$243,000.00

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including the payment of costs incidental and related to carrying out these projects, as well as any professional, design and engineering service costs, and to authorize the Town Administrator to solicit bids and/or proposals, enter into a contract or contracts, and expend these funds for this purpose, or to take any further action relative thereto.

(Majority Vote Required or Two-thirds
Vote Required if borrowing is
requested)

(Board of Selectmen)

MOTION: I move that consideration of Article No. 10 be divided, so that Town Meeting votes on nine separate motions, one for each project.

ACTION: Adopted to separate Article No. 10 into nine votes.

Motion on 10a: I move that the Town vote to approve Article 10, item a, and to transfer the sum of \$35,000.00 from Free Cash for this purpose.

Motion to “Move the Previous Question”: Adopted

Action on 10a: Adopted Yes – 364 No – 325

Motion on 10b: I move that the Town vote to approve Article 10, item b, Ellis Landing and to transfer the sum of \$101,500.00 from Free Cash for this purpose.

Action on 10b: Adopted

Motion on 10c: I move that the Town vote to approve Article 10, item c, Linnell Landing and to transfer the sum of \$20,000.00 from Free Cash for this purpose.

Action on 10c: Adopted Unanimously

Motion on 10d: I move that the Town vote to approve Article 10, item d. Fisherman’s Landing and to transfer the sum of \$25,000.00 from Free Cash for this purpose.

Action on 10d: Adopted

Motion on 10e: I move that the Town vote to approve Article 10, item e, Slough Pond Landing and to transfer the sum of \$5,000.00 from Free Cash for this purpose.

Action on 10e: Adopted Unanimously

Motion on 10f: I move that the Town vote to approve Article 10, item f, Long Pond Boat Ramp and Landing and to transfer the sum of \$10,000.00 from Free Cash for this purpose.

Motion on 10f: Adopted

Motion on 10g: I move that the Town vote to approve Article 10, item g, Paines Creek Foot Bridge and to transfer the sum of \$6,500.00 from Free Cash for this purpose.

Action on 10g: Adopted

Motion on 10h: I move that the Town vote to approve Article 10, item h, DCR/Nickerson Park Beach Assess Planning and to transfer the sum of \$10,000.00 from Free Cash for this purpose.

Motion to “*Move the Previous Question*”: Adopted

Action on 10h: Adopted

Motion on 10i: I move that the Town vote to approve Article 10, item i, DCR/Nickerson Park Beach Access Construction and to transfer the sum of \$30,000.00 from Free Cash for this purpose.

Motion to “*Move the Previous Question*”: Adopted

Action on 10i: Adopted

<p style="text-align: center;">AMENDMENT TO TOWN CODE <i>Town Meetings</i></p>
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ARTICLE NO. 11: To see if the Town will vote to amend Chapter 48, Article I, Section 48-1 of the Code of the Town of Brewster, Massachusetts, as follows (proposed changes are bolded and underlined):

Delete the current language:
The Town will hold two regularly scheduled Town Meetings. The Spring Annual Town Meeting for the transaction of all business for the town, other than matters to be determined by ballot, shall be held on the first Monday in May at 7:00 p.m. The Annual Election for the election of officers and such matters as are by law determined by ballot shall be held on the third Tuesday in May. Whenever the Annual Election for the election of officers and such matters as are by law determined by ballot falls fewer than two weeks after the scheduled beginning of the Spring Annual Town Meeting then the Annual Election shall be held on the fourth Tuesday in May. The **Fall Yearly** Town Meeting will be held the third Monday in November to address the transactions of all business for the town. Whenever this schedule places it in the same week as Thanksgiving Day, the **Fall Yearly** Town Meeting shall be held instead on the second Monday in November.

And substitute the proposed language:
The Town will hold two regularly scheduled Town Meetings. The Spring Annual Town Meeting for the transaction of all business for the town, other than matters to be determined by ballot, shall be held on the first Monday in May at 7:00 p.m. The Annual Election for the election of officers and such matters as are by law determined by ballot shall be held on the third Tuesday in May. Whenever the Annual Election for the election of officers and such matters as are by law determined by ballot falls fewer than two weeks after the scheduled beginning of the Spring Annual Town Meeting then the Annual Election shall be held on the fourth Tuesday in May. The **Special** Town Meeting will be held the third Monday in November to address the transactions of all business for the town. Whenever this schedule places it in the same week as Thanksgiving Day, the **Special** Town Meeting shall be held instead on the second Monday in November.

or to take any other action relative thereto.

(Majority Vote Required)

(Board of Selectmen)

MOTION: Moved under the consent calendar.

ACTION: Adopted under the consent calendar

ZONING BYLAW AMENDMENT
Definition: Affordable Accessory Single-Family Dwelling Unit

ARTICLE NO. 12: To see if the Town will vote to amend Chapter 179 of the Brewster Town Code, Zoning, Article I, Section 179-2, Definitions, deleting the “S” in “AASDU” so that it reads:

AFFORDABLE ACCESSORY SINGLE-FAMILY DWELLING UNIT (AADU) - Affordable housing, either attached or detached, as an accessory use to a single-family dwelling. It shall have a maximum of two bedrooms and a maximum of 900 square feet of area. [Added 11-5-2007 FYTM, Art. 20]

or to take any other action relative thereto.

(Two Thirds Majority Vote Required) (Planning Board)

MOTION: Moved to indefinitely postpone.

ACTION: Indefinitely postponed

ZONING BYLAW AMENDMENT
Establishment of Districts

ARTICLE NO. 13: To see if the Town will vote to amend Chapter 179 of the Brewster Town Code, Zoning, Article II, Section 179-3, Establishment of Districts, by deleting paragraph D, which includes the following text:

D. The Corridor Overlay Protection District is a town-wide overlay protection district which is superimposed over all existing zoning districts. [Added 5-9-1994 ATM, Art. 25]

or to take any other action relative thereto.

(Two Thirds Majority Vote Required) (Planning Board)

MOTION: Moved to indefinitely postpone.

ACTION: Indefinitely postponed

ZONING BYLAW AMENDMENT
Signs

ARTICLE NO. 14: To see if the Town will vote to amend Chapter 179 of the Brewster Town Code, Zoning, Article V, Section 179-21 (first mention), Enforcement; abandoned signs; appeals, by renumbering the section to 179-20.7, so that it reads:

§ 179-20.7. Enforcement; abandoned signs; appeals.

or to take any other action relative thereto.

(Two Thirds Majority Vote Required) (Planning Board)

MOTION: Moved to indefinitely postpone.

ACTION: Indefinitely postponed

***ZONING BYLAW AMENDMENT
Special Permits***

ARTICLE NO. 15: To see if the Town will vote to amend Chapter 179 of the Brewster Town Code, Zoning, Article X, Section 179-51, Special permits A. (5) Findings, by deleting the second occurrence of the word “Development” and replacing it with the word “Site,” so that it reads:

- (d) For developments subject to Chapter 83, Site Plan Review, it is recommended that applicants incorporate development standards specified under Chapter 83, as well as applicable development standards specified in this Zoning Bylaw (Chapter 179), to better coordinate permitting under both bylaws.

or to take any other action relative thereto.

(Two Thirds Majority Vote Required) (Planning Board)

MOTION: Moved to indefinitely postpone.

ACTION: Indefinitely postponed

***ZONING BYLAW AMENDMENT
Site Plan Review***

ARTICLE NO. 16: To see if the Town will vote to amend Chapter 179 of the Brewster Town Code, Zoning, Article XII, Section 179-67B, Severability, by deleting “67-B” from the numbering and renumbering the section “179-68, so that it reads:

§ 179-68. Severability.

or to take any other action relative thereto.

(Two Thirds Majority Vote Required) (Planning Board)

MOTION: Moved to indefinitely postpone.

ACTION: Indefinitely postponed

***ZONING BYLAW AMENDMENT
Natural Resources Protection Design***

ARTICLE NO. 17: To see if the Town will vote to amend Chapter 179 of the Brewster Town Code, Zoning, Article XIII, Section 179-51.1, Permanent Preservation of Open Space Land, A., Ownership of Open Space Land, (1) (b) by deleting the numbers “4.6.2” and replacing them with “179-75.1B” so that it reads:

- (b) Conveyed to a nonprofit organization, the principal purpose of which is the conservation or preservation of open space, with a conservation restriction as specified in 179-75.1B below. Such organization shall be acceptable to the Board as a bona fide conservation organization; or

or to take any other action relative thereto.

(Two Thirds Majority Vote Required) (Planning Board)

MOTION: Moved to indefinitely postpone.

ACTION: Indefinitely postponed.

<p><i>ANY OTHER BUSINESS</i></p>

ARTICLE NO. 18: To act on any other business that may legally come before this meeting.

(Majority Vote Required) (Board of Selectmen)

Motion under Article 18 any other Business:

I move that the Town offer a vote of thanks to Charles Sumner, our Town Administrator of nearly three decades, and that we acknowledge his service, his leadership, and his love for our community.

Action: Adopted Unanimously with a standing ovation.

MOTION: I move that the Town vote to dissolve the 2015 Special Town Meeting.

ACTION: Adopted Unanimously

The Special Town Meeting of September 2nd, 2015, was dissolved at 10:40 pm.

A True Copy Attest;

Colette M. Williams
CMC/CMMC
Town Clerk
Brewster, MA